

AFL-CIO

LEGISLATIVE ALERT

September 21, 2016

The Honorable Thomas Wheeler
Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

RE: Ex Parte Notice. In the Matter of Expanding Consumers Video Navigation Choices et al; MB Docket No. 16-42, CS Docket No. 97-80

Dear Chairman Wheeler:

FCC's latest set-top box proposal seriously undermines important copyright protections that help ensure that the people who work in the film and TV industry receive fair compensation for the work that they create. The FCC's proposed compulsory licensing scheme would allow third parties access to copyrighted material for which they have not paid, depriving those who create the video programs control over the distribution of their work and the ability to receive payment for the distribution of their work across multiple platforms.

The FCC's latest set-top box proposal will upend the video market economic system, with fewer resources to invest in quality programming, the network, and the workers who create and produce content and who build, maintain, and service the networks. We should not permit competition to destroy an existing economic model without creating incentives for producers to create more content and expand networks and network speeds. The Commission must ensure that rules designed to promote competition in video navigation devices do not simply result in a shift of revenue and value from those who produce content and build the physical distribution network to innovators in re-packaging that content for targeted online advertising purposes.

Finally, the Commission's proposed rules would open the door to violations of consumers' privacy rights. The Communications Act prohibits cable and satellite companies from disclosing personally identifiable information about subscribers without prior consent from subscribers, but these provisions do not apply to tech companies or navigation device suppliers.

In sum, the FCC's latest set-top box proposal would result in considerable harm to consumers and workers in the communications and entertainment industries. The FCC should rethink this proposal.

Sincerely,



William Samuel, Director
Government Affairs Department

WS/DG/lkr

cc: Commissioner Jessica Rosenworcel
Commissioner Mignon Clyburn
Commissioner Ajit Pai
Commissioner Michael O'Rielly

American Federation of Labor and Congress of Industrial Organizations

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